4. 16.01.2017 Heard learned counsel for the petitioner-Management and non-appears for the workman-opposite party No.3.

This writ petition has been filed by the Management challenging award dated 25.09.2002 passed by the learned Labour Court, Bhubaneswar in I.D. Case No.481 of 1995 answering reference in favour of the workman and holding that the letter issued by the Management dated 13.08.1984 (Ext.2) issued to the workman is illegal and unjustified and the workman is deemed to be continuing in the same scale of pay from the date he was deprived of the same.

Learned counsel for the Management on instruction submits that in the meantime, the petitioner has joined the service of the Bank since 2003 and had retired from service with effect from 31.01.2009, on receipt of retiral benefits. Accordingly, he submits that now no cause of action survives.

Considering the submissions, and in view of the fact that the workman-opposite party No.3 had joined the service and has retired in the meantime and has received all his retiral benefits, no cause of action survives.

The writ petition is accordingly disposed of as infructuous.

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S.C.Parija, J.

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K.R. Mohapatra, J.

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